

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA,
Plaintiff

v.

**REAL PROPERTY KNOWN AS
334 PADRE BOULEVARD
CONDOMINIUM UNIT 1401
CAMERON COUNTY
SOUTH PADRE ISLAND, TX 78597**
Defendant

§
§
§
§
§

CIVIL CASE NO. C-12-167

BRIDGEPOINT CONDOMINIUMS--PHASE I
Homeowner Association Claimant

**CAMERON COUNTY, TEXAS, SOUTH
TEXAS I.S.D., AND TEXAS SOUTHMOST
COLLEGE DISTRICT**
Taxing Authority Claimant

AGREED FINAL JUDGMENT OF FORFEITURE

THIS DAY came on to be considered the Joint Motion for Agreed Final Judgment of Forfeiture.

Having taken judicial notice of the matters on file in this case, the Court finds the following facts at the parties' request:

A) On May 22, 2012, the Plaintiff filed a Verified Complaint for Forfeiture in Rem averring that the United States sought forfeiture of the real property, including all structures, improvements and fixtures, located at 334 Padre Boulevard, Apartment 1401, Cameron County, South Padre Island, Texas, with all appurtenances, improvements, and attachments thereon, legally described as:

Unit 1401 in BRIDGEPOINT - PHASE I, a Condominium Regime created by Declaration and Master Deed filed of record in Volume 20, Page 60, Condominium Records of Cameron County, Texas, and amended by instrument recorded in Volume 20, Page 495, Condominium Records of Cameron County, Texas and instrument recorded in Volume 607, Page 173, Official Records of Cameron County, Texas, (the Declaration), reference to which is here made for all purposes; together with an individual percentage of value as defined and set forth in the Declaration and Master Deed,

hereinafter referred to as "the subject property." That there is probable cause to believe that the subject property is subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(A), 18 U.S.C. § 981(a)(1)(C) incorporating 18 U.S.C. § 1956(c)(7)(A) and 18 U.S.C. § 1961(1), and 21 U.S.C. § 881(a)(6).

B) That the subject property was brought into the jurisdiction of the Court by the verified complaint for forfeiture in rem filed in this cause.

C) That Notice of the Forfeiture was published on an official government internet site (www.forfeiture.gov) for at least thirty consecutive days, beginning on June 5, 2012, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. (D.E.# 8). The United States has complied with the due process requirements of the Constitution concerning service upon all known potential claimants (D.E.# 4, 5, 12, 13).

D) On June 15, 2012, a claim was filed by Bridgepoint Condominiums-Phase I (hereinafter referred to as the "Homeowner Association Claimant"), claiming that as of May 28, 2012, \$1,843.08 is due in homeowner's dues, such assessment increasing by \$914.62 per month afterward. (D.E. #6 &7). On July 24, 2012, a claim was filed by the Cameron County, Texas, South Texas I.S.D. and Texas Southmost College District (hereinafter referred to as the "Taxing Authority Claimant"), stating that 2012 base tax is to be determined. (D.E. # 9 &10).

E) Other than the parties noted in paragraph D, no person or entity has filed a Claim, an Answer, or has otherwise appeared to contest Plaintiff's action to forfeit the subject property.

- F) The time to appear and challenge this forfeiture action having passed, all potential claimants to the subject property other than Claimant are in default.
- G) The United States of America and Claimant have entered into an agreement for an agreed resolution of this case.

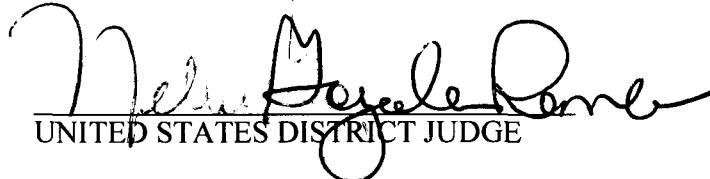
It is therefore ORDERED, ADJUDGED, AND DECREED:

- 1) Judgment is hereby entered in this case in favor of the United States against all potential claimants;
- 2) The interests of all persons and entities in the subject property are hereby forfeited to the United States of America;
- 3) By reason of this Judgment, all right, title, and interest in the subject property is vested in the United States of America;
- 4) United States of America is ordered to take possession and sell the subject property and disburse the proceeds from the sale of the subject property in the following order of priority:
 - i. to the costs of seizure, custodianship, and sale of the subject property;
 - ii. to the Taxing Authority Claimant for ad valorem taxes owed, as well as penalties and interest, if any;
 - iii. all homeowner's association dues owed to Homeowner Association Claimant regarding subject property, to be paid pro rata to the date of entry of the final order of forfeiture as well as penalties and interest, if any; and
 - iv. to the United States to be disposed in accordance with applicable law.
- 5) The government, the Homeowner Association Claimant, and the Taxing Authority Claimant pay their own costs, attorney's fees, and all other expenses of whatever kind arising out of or resulting from the seizure of the subject property or from the institution, prosecution, or

resolution of this case, except as otherwise provided herein.

THIS IS A FINAL JUDGMENT.

Signed at Corpus Christi, Texas, on this ____ day of 12/10/12, 2012.


UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND SUBSTANCE:

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